



U.S. Department of Justice

*United States Attorney
Eastern District of New York*

RCH/HDM/EMR/PP/MED
F. #2019R00927

*271 Cadman Plaza East
Brooklyn, New York 11201*

October 20, 2021

By ECF

The Honorable Brian M. Cogan
United States District Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: United States v. Genaro Garcia Luna
Criminal Dkt. No. 19-576 (BMC)

Dear Judge Cogan:

The parties respectfully submit this written status update to the Court in advance of the status conference scheduled for October 27, 2021.

- Discovery
 - The government continues the process of collecting and reviewing discovery for production to the defendant on a rolling basis. Following the parties' last status letter on August 16, 2021, the government made an additional discovery production on September 29, 2021, totaling more than 6,500 pages of documents. See Dkt. No. 73.
 - The government also is awaiting responses from outstanding subpoenas. In addition, the government has submitted MLAT requests for foreign evidence. Although the government has received some responsive information, it is awaiting additional MLAT responses.
 - To date, the government has produced more than 1 million pages of documents and voluminous intercepted and recorded communications. The government has produced the vast majority of the discoverable material in its possession. It will continue to make smaller productions on a rolling basis as it receives additional discoverable materials and/or identifies such material in its possession.

- CIPA
 - On October 19, 2021, the government filed a motion for a pretrial conference pursuant to Section 2 of the Classified Information Procedures Act, 18 U.S.C. App. 3, §§ 1-16 (“CIPA”). At the conference, the government will request that the Court set a briefing schedule for the government’s filing pursuant to Section 4 of CIPA.
- Trial Preparation
 - The parties have faced significant delays in preparing for trial in this case in light of the pandemic, including limitations on the government’s ability to meet with incarcerated witnesses and limitations on defense counsel’s ability to meet with the defendant. However, at the status conference, the parties will respectfully request that the Court set a trial date in this matter. The parties have conferred and request, based on the Court’s availability, that trial be scheduled to begin in the fall of 2022. The government anticipates that trial will last approximately eight weeks, including jury selection.

BREON PEACE
United States Attorney

cc: Cesar de Castro, Esq. (by ECF)
Clerk of the Court (BMC) (by ECF)